

## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/828,825	04/21/2004	William Stonecypher	262.1005US

23280  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
 485 SEVENTH AVENUE, 14TH FLOOR  
 NEW YORK, NY 10018

CONFIRMATION NO. 5293

## FORMALITIES LETTER



\*OC000000013084019\*

Date Mailed: 06/28/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

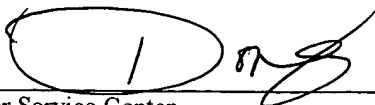
Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

08/10/2004 MBIZUNES 00000026 10828825

01 FC:2001  
 02 FC:2051

385.00 OP  
 65.00 OP

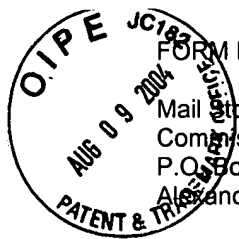
*A copy of this notice MUST be returned with the reply.*

A handwritten signature in black ink, consisting of a large loop followed by a vertical stroke and a stylized flourish.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



FORM PTO-1083

Docket No.: 294.1005US

Date: August 6, 2004

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re application of: **William STONECYPHER**  
Serial No.: 10/828,825  
Filed: April 21, 2004  
For: **IMPROVEMENTS TO TRUSSES**

Sir:

Transmitted herewith is a **Response to Notice to File Missing Parts** (1 page) in the above-identified application.

- ☒ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
FOR:	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* MINUS 20	=	0	x \$ 9	\$		x \$ 18	\$
INDEP. CLAIMS	* MINUS 3	=	0	x \$ 43	\$		x \$ 86	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$145	\$	+	\$290
				TOTAL:	\$	OR	TOTAL:	\$

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:  
☐ Petition for extension under 37 C.F.R. 1.136  
☒ Other: **Copy of Notice to File Missing Parts (2 pages); Signed Declaration (1 page); Copy of Filing Receipt (2 pages); Request for Corrected Filing Receipt (1 page)**
- ☒ Check(s) in the amount of **\$450.00** is/are attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for extension under 37 C.F.R. 1.136  
☒ Other: **Statutory basic filing fee of \$385.00 and late declaration surcharge of \$65.00**
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

William C. Gehris, Reg. No. 38,156  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
Tel: (212) 736-1940  
Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on August 6, 2004.  
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:

  
Oliver Platz



294.1005US

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Re: Application of: **William STONECYPHER**  
Serial No.: 10/828,825  
Filed: April 21, 2004  
For: IMPROVEMENTS TO TRUSSES

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop: MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

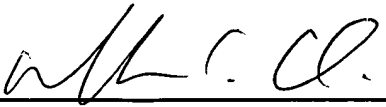
August 6, 2004

Sir:

In response to the Notice to File Missing Parts dated June 28, 2004, a copy of which is enclosed, please find an executed Declaration/Power of Attorney form signed by the inventor, and a check in the amount of \$450.00 covering the filing surcharge of \$65.00 and the statutory basic filing fee for a small entity of \$385.00.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By   
William C. Gehris  
Reg. No. 38,156

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